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CONGRESS.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *March* 12.

DEBATE
On Mr. Gregg's Resolution.

(Mr. JACKSON'S Speech concluded.)

Mr. Chairman, when the committee rose last night, I was replying to an argument drawn from the pacific disposition of this nation, which was used to prove that G. Britain well knew that we would sacrifice any thing for peace, and if she declared war and committed depredations on us, she might profit of these advantages by making peace on her own terms—I admitted in its fullest latitude the aversion of the American people to go to war for light and transient causes. They will sedulously foster peace—they will bear and forbear much—viewing war as the scourge of the human race, every honorable exertion will be made by them to avert it—but there is a point of degradation and insult beyond endurance, which no nation can advance to, without feeling the vengeance of United America. We have tested this truth by experience—look to the revolution, sir, when the noble spirit of the times braved the terrors of treason, misery and death, rather than tamely submit to the accumulated wrongs that were heaped upon us. I have too much respect for my country to believe, that any attempt to rob us of a single right, which we then secured by one of the noblest struggles recorded in the annals of the world, would be tamely surrendered. But it is said the spirit of the nation has been roused by the impositions of the newspapers influenced by the rapacity of the merchants. No, sir, it is by seeing its rights and the rights of its citizens trampled on—prostrated by a lawless banditti on the ocean, respecting no law but their own interest—acknowledging no rights between them and the tyranny of the seas. Is the capture of our seamen and vessels and cargoes on the ocean an imposition? No, sir, it is a fatal reality witnessed by the miseries and bankruptcies of thousands; and when an honest burst of indignation is re-echoed from the remotest corners of the union, we are gravely told that we must make a distinction between commerce and agriculture, which it is alledged exists in fact and cannot be lost sight of. Let us examine this doctrine. The merchant purchases the produce of the farmer, his beef and pork and every surplus which he has, and traverses every sea in search of a market for it; the price abroad produces competition at home—the profits to the merchants being always nearly the same, and by this competition, the farmer receives a premium proportionate to the demand abroad; but take away this rivalship at home by abandoning your merchants to the depredations of every freebooter, for if you once pronounce that they are to be abandoned, every sea and shore will be infested by them—and you compel him to quit the ocean, to employ his capital on land, and our farmers will be obliged to take whatever price foreigners coming into our ports may choose to give—and to purchase the productions of other countries from them at whatever price they may choose to ask. The interests of agriculture and commerce are, therefore, intimately connected; but another expedient is resorted to. It is said a distinction is to be kept up between the northern and southern interests, and this measure will operate on the south alone. Sir, we ought to know nothing of local interests or geographical divisions when the rights of an American citizen are invaded—we ought only to know it and feel it as Americans. Did the north use other language when the navigation of the Mississippi was destroyed, by withholding the right of deposit at New Orleans. No, sir, with honorable feelings their only solicitude was, how they should most effectually restore and preserve it. Let us then act with sentiments of the same noble liberality when the pressure of wrongs is most immediately felt by them, but which must and will operate upon us also, for no measure can affect the rights of this nation that will not sensibly injure every part of the union. If our commerce is disturbed, if our rights on the sea are cut off one by one, and such is the tendency of the present measures of Britain, what will become of our cotton and tobacco? Will they not rot on our hands, or be sold at the price of those who may be pleased to come and purchase them? If commerce languish, agriculture will languish likewise, for one is the handmaid of the other. But say gentlemen, the value of the trade interrupted by the piratical conduct of Britain is not worth contending for, is not worth the risk of the present measure, or the hazard of war. I hope, however, we shall not estimate national wrongs by pounds, shillings, and pence. I hope that when our rights are invaded we will all unite, not in calculating the cost, but in adopting measures to ensure redress. But gentlemen say these aggressions will only last during the war. Sir, the war in Europe for the last 15 years has been almost unintermitted. Were you to hold this language to an individual, and say to him your are denied free ingress or egress to or from your own mansion, and console him by adding you can bear with your wrongs—they will last only during your life time; he would spurn you from him with indignation. Look at the state of the European world—at its situation for 20 years past, and say what chance you have of peace. I hope our rights will not be thus permitted to be trampled on with impunity, under such a pretext. I hope to see some systematic measures adopted to meet G. Britain, who appears to have formed a deliberate plan to inflict all the injury in her power on this people, whom she looks upon as her most dangerous rivals. This step which she has taken, is a link in the great chain of vassalage, a colossal stride towards affecting that plan, which has for its object the dominion of the seas. If we yield one right, as well established as the right to breathe the vital air, it is weak in us to imagine G. Britain will stop here. This would be as contrary to her genius, as the genius of this government is to war.

But it is said G. Britain will countervail our restrictions; in this respect we stand in a very different situation from her. We are her best customers; she sends to us articles which she cannot sell in other places; and we supply her with necessaries which she cannot procure elsewhere. It is in vain, therefore, to suppose G. Britain can affect us by a countervailing policy. If she could, there is no doubt she would. If gentlemen will turn their eyes to her islands, they will see that when she can supply them with provisions from other quarters, she does not permit us to carry our produce to them. It is only when she cannot obtain them elsewhere that she grants this as a favor. But we are told that we cannot supply ourselves with the articles we derive from her in other markets; and, as evidence of this, it is said that the French armies are now clad in British manufactures, notwithstanding the interdictions of the government of France. But I call for proof of this assertion. I deny it. I assert from unquestionable authority they are clad from head to foot in French manufactures.

But gentlemen say they will not insure this trade at the expence of the constitution. I do not understand this language. Has the constitution interposed a barrier to the insurance of the rights of the nation in any situation whatever? So far from this being the case, I believe on the contrary the constitution would be violated, if our rights were not maintained in every quarter of the globe. I believe the reverse of their picture is true; and that if we do not protect our citizens in the enjoyment of their rights, we violate the constitution, no matter whether those citizens are merchants or farmers—Were we to decide this question by its immediate influence on the finances; by the profit and loss that would now from it for the moment, it would, indeed, in my opinion, be making us a miserable set of compting-house politicians. And though we might profit by it for a moment, our situation would be soon worse than it was. We should show ourselves penny-wise and pound foolish. Gentlemen say they will not protect a trade which is worth but a million, though I believe it may be shown to be almost equal to the value of our whole exports—at the expence of six millions. But if we legislate on this ground of calculation, we shall soon have no commerce worth protecting. If we yield our rights because their protection will cost more in dollars and cents than they are worth, we shall soon have no commerce remaining. I consider the aggressions which Britain has made upon our trade alone, as a sufficient stimulus to induce us to do something. But when I refer to the 3,000 seamen she holds in miserable bondage, I consider the destruction of this trade as but a drop in the ocean compared with them. But on this subject, horrid as it is, I find some gentlemen are the apologists of Britain! One gentleman observes that inasmuch as her own subjects are in our employ, she has a right to take from us an equal number. But there is no analogy between the cases. The act of her subjects in entering into our service is voluntary, while our citizens are kept in her service by violence. Some of our own citizens reside in Britain, and yet we never dreamt of complaining, because she has not banished them from her bosom. No man in his senses can say that Britain is justified in keeping our citizens in slavery, on the ground that we employ her subjects in our service. But, forsooth, her conduct is justified by the hon. Speaker on the ground that the protections of our citizens are fraudulently obtained, that they are sold to the highest bidder. I hope for the honor of our country, that this allegation will be enquired into.

Mr. MACON here explained, by observing he had said, he had been so informed.

Mr. JACKSON. I say the subject loudly calls for enquiry. If the practice is such as is represented, it ought to be known and punished. What says the law on this subject? That the collector shall receive proof, on oath, that the person applying is a bona-fide citizen; of course the collectors alone can be concerned in this fraud. If they are so concerned, let them be punished. But the gentleman says, protections may be sold. This is not possible. The protection granted to one man cannot suit another, as it specifies the size, the complexion and other characteristics of the person to whom it is given, and I am sure sir, a description of your person and your size would not suit mine. G. Britain, it seems, says the same thing with the hon. Speaker. If a man has a protection she says it is fraudulent and tears it to pieces; and if he has not a protection she declares that conclusive proof, that he is not an American citizen. It is very much to be regretted that the law requiring these protections ever passed; and that we had not asserted the right to protect every man sailing under our flag, except the enemies of a belligerent nation. Three thousand of our citizens now groan under this abject slavery! This number have presented their claims to your government. Besides which, many more are carried from sea to sea, and from one country to another without being ever able to make their cases known to you. In vain do they endeavor to forward their complaints—an inexorable tyranny denies them the indulgence. It is fair then to infer that the whole number is twice that I have stated, and it really appears to me as if our sensibility were lost in the magnitude of the injury. If there were but a single case of this species of oppression presented to us, it would be more affecting and effective. Draw the picture of a single victim, the only son of aged parents, their staff, the prop of their age, their pride and only support, he toils and labors to obtain a venture with the pleasing prospect of quadrupling his little capital—they follow him when ready to leave them, with tears and blessing's to the waters side, where he embarks: and in a few hours the lessening sail is lost to their view on the bosom of the wide expanded ocean. They return to their cottage, and implore a beneficent God to protect their darling, they count the days of his absence and when, according to the usual course of events, the period of his return is drawing to a close, each hour awakens new fears and new solicitude; by and by the vessel anchors in its port, they fly to embrace him—but alas! he is not there—he was off the harbor's mouth, robbed of his all, impressed by the British, and carried into worse than Algerine slavery—for with those he would only be compelled to work for his masters—whilst these make him work, and fight, under a lash more cruel than the barbarian bastinado, and a despotism more unrelenting than the slave drivers exercise. Their golden dreams are vanished with the recital. The soul shrinks back upon itself, they cast a long and wishful look upon the ocean, and with tottering steps reach their once peaceful happy home—but no peace, nor happiness welcome their return—hope lingers for a while, and cheers their drooping spirits—it directs their appeal to the government which the old man fought and bled in the field to establish upon the basis of universal justice, and whose principles he impressed on the mind of his child. Year after year it is deaf to their cries, it sits down and calculates the cost of asserting its rights with the nicety of a ledger keeper, and decides in favor of a pusilanimous acquiescence, because the balance of dollars and cents is struck in its favor. Poverty approaches with rapid strides—their last dollar is laid out to procure the means of subsistence—too proud to beg, and too infirm to labor, they know not how to avert their fate—the little plans they have formed without the means of execution, fly like meteors before them—nature is making a mighty struggle with adversity, when it is announced that their boy fell beneath the thousand lashes which were inflicted on him for attempting his escape; and death kindly interposing his friendly arm, grants a respite from their miseries.—Does not such a case demand our attention? It is not at all comparable to that of many others. Add to the scene which I have feebly pourtrayed, the distraction of a tender wife, manacled and confined in the cold damp cells of a lunatic hospital—her children bound out by the parish—and all their prospects of life nipped in the bud, occasioned by the impressment of the husband and the father—and then tell me do we violate the principles of the constitution, which declares that it is made to provide for the common defence, and general welfare, by vindicating those measures which are well calculated to procure redress—this were indeed to play such fantastic tricks before high heaven, as make e'en angels weep. Shall we, in the Tripoline war, to rescue from bondage 300 Americans, perform through the agency of some of our citizens there, acts of perseverance, address and heroism, unsurpassed in the annals of ancient or modern times, at the sacrifice of the lives of many brave men, who with some of those that survived the conflict, will be enrolled by a grateful country upon the list of the favorite sons of the American nation—when as many thousands are groaning under the cruel oppression of G. Britain, and crying to us for succour without exciting or producing one manly exertion.

But gentlemen say, let us vindicate our rights first on the land, and then on the ocean. As so much has been urged on this subject, I think it proper to say a few words in reply; and though I had read the documents relating to it, I must say that gentlemen have so misrepresented the conduct of the Spanish agents that I was almost induced to believe they alluded to something not in the communications contained in the pamphlet. Take the testimony of the Kempers themselves, who no doubt give it the most unfavorable aspect—what do they say? "That on the night of the 3d instant, about the hour of 12, being at the house of Nathan Kemper, within about two miles of Pinckneyville, within the limits of the Mississippi territory, the house was surrounded, and the doors thereof forced open, by a party consisting of at least nineteen persons, whereof some were negroes, and some white men in disguise. That among the latter he recognized and personally knew the following persons: Louis Ritchie, Miner Butler, Abraham Horton, James Horton, and two others, whose names he did not recollect, but expected soon to be able to ascertain, all of whom are inhabitants of the Missisippi territory; and Marcus Carr, James Say, Philip Say, and others, residing within the Spanish lines. Of the negroes, whose number amounted to seven, at least, three, whose names are William or Billy, Nat and Moses, and others whose names he did not recollect, he knew to be the property of the abovementioned Abraham Horton. That the said party, all of whom were well armed, after having forced their way into the house, violently forced him from his bed room, after a struggle of about 15 minutes, during which he received several violent blows on the head and face; and after having torn off his shirt and tied him with cords, forced him over the line into the Spanish territory, where they delivered him up, with his two brothers, Nathan and Samuel Kemper, bound in the same manner, to Solomon Alston, who commanded a large party of armed men." Governor Grand Pre in answer to Governor Williams says, "I have received your letter dated the sixth instant relative to the extraordinary event that happened at Pinckneyville on the third instant, viz. the assault on the three brothers, Kempers, by persons unknown, and disguised it is said in black, who conducted them on that part of the territory which it has pleased his majesty to commit to my charge. The occurrence is singular, and of which I had no information till the night between the seventh & eighth by one of the commanders of the patroles who, since the inroads committed by that turbulent banditti headed by the Kempers, have been stationed near the frontiers and within the interior settlement of Feliciana; the first gave me information under date of the fifth that by night he met with a party of men disguised and armed, who were conducting three others, whom they immediately abandoned and retired with precipitation the same way which they appeared to have come without uttering a single word; his first care was to secure the persons of the three men whom he found to be the Kempers, and immediately had them conducted to Bayou Tonnica, there to be embarked under an escort and delivered at my disposal; he added that on the way the escort was stopped by actual force on the river very near the eastern shore by captain Wilson, military commandant at point Coupee, where it is said the escort is detained and also the Kempers. The commander of the patrole also declares that it was impossible for him to know any one of the persons who brought and abandoned the said Kempers, owing to the obscurity of the night, their disguise and their very prompt departure.

"This is all the information I have as yet, but have dispatched an express to procure a more ample knowledge respecting this strange and mysterious violation.

"It is not necessary, I flatter myself, that I should express what pains our government has taken, and how unceasingly scrupulous it has been to maintain and constantly to preserve with that of the United States, that good understanding and harmony which it ought to be impossible for a few intriguing perfidious adventurers, thirsting after revenge for private animosities, to interrupt."

I have taken the facts in the strong light they are placed by one of the insulted parties, by which it appears that these acts were committed in the Mississippi territory, by citizens of that territory. The Spanish governor regrets the circumstance; speaks of it as a strange and mysterious violation; says that it is not necessary to express the wish which he had before intimated; that it would not prevent a good understanding with the United States. Here we find the measure disavowed: and admitting that violence had been offered by a Spanish party, even within our limits, the governor explicitly disavows it, and *promises* enquiry and *satisfaction*. But is this the case with Great Britain? No. Far from it. Her violences are not only committed by her cruizers, but by her admiral's judges, who, in the versatility of their decisions, out Protine Proteus himself. Are the cases analogous? Shall we go to war for an act which is either unauthorised or disavowed, and tamely sit still while the injuries that are inflicted upon us are avowed and vindicated. Have not our citizens been impressed at the mouths of our harbors? Need I refer to the memorable fact that occurred at New-York? I believe, your citizens were taken from a revenue cutter, and certainly from an American vessel at the mouth of that harbor. We find G. Britain contending that this is right; glorying in it; and what is more extraordinary, apologists for it on the floor of Congress.

Gentlemen have said that our property and citizens ought not to be defended beyond the reach of our gun-batteries. If this sentiment is correct, why carry on war with Tripoli? Have you not by this measure told your merchants that their property will be protected? Have they not sailed under this impression, and was not this war commenced for injuries committed in the Mediterranean seas? If this can be their impression, would you violate the assurances which you gave them. When they saw you with manly spirit take this ground and maintain it by acts which have never been surpassed, did not that give them reason to believe that they would be protected, so long as they complied with your laws and with the law of nations. It is too late, when in confidence of your faith they have run into danger, and are exposed to be deprived of their all, to say that you have abandoned them. But we are told, if you provoke the power of Britain she may again reduce you to the colonial state in which she once held you, or a state more abject and miserable. How is this more effectually to be done than by destroying our commerce, advancing as we recede, first driving us from the ocean, and then hunting us from our shores to the mountains, and from thence to the south seas? This cannot be effected in a moment. I have no doubt G. Britain looks back to the times of 1776 with lively indignation. If she lashes us and we cringe beneath the whip, until our best feelings are blunted, at what point will she stop before she has driven us from our posts indeed, and again reduced us to a state of servile dependence.

But gentlemen say, G. Britain is the great source of our revenue, and we ought not to take a step which might destroy it. Sir, it were better to be up to the eyes in debt like G. Britain than hold our revenue by such a tenure. Once declare that you are unable to pay your debts or support your government, but for the revenue derived from Britain, and let gentlemen say where she will stop. She understands this thing as well as we do; and if she sees that we have determined to get out of debt without resorting to taxes—to make no loans, whatever the emergency may be, and that we can get no resources but through her trade, and I fear that in a little time she will make us bear what I am very apprehensive will produce no feeling at all. Some gentlemen are good enough to be willing to allow G. B. a longer time to prey on us. They wish us to negociate with her with christian meekness, when she smites us on one ear to turn the other also. But are we not told by the Executive that negociation has been tried, that with regard to the impressment of our seamen, there was a prospect of a successful issue, which was afterwards however shut out from us. It is in in vain to expect any other result from negociation, than we have witnessed, without we do something, unless G. B. entertains the idea that the nation is not identified with the acts of the Executive, but with those of Congress. This, however, cannot be. For omitting what has lately transpired in this House and which is not known to her at this time, G. Britain knows that the whole nation is ready to support the Executive. The unanimity which prevailed at the late election has testified it. It is not merely to protect the colonial trade, or to redress the impressment of our seamen that calls for this measure. Every thing that connects us with the European world, through the medium of commerce, is involved in it. Viewing her pretensions as the entering wedge, she will, if you submit, advance with steady steps, trample on and violate every right in rapid succession, until she has established her undisputed right to the whole seas, and enforced obedience to her pretensions "that all beneath them is British ground," and compelled those who sail on them previously to ask her permission. But gentlemen say, there is a prospect of adjustment, and appeal to the papers on your table—I say there is no such prospect,—and I call for the facts which gentlemen rely on.

It will be observed that the remarks